BEFORE THE PERSONNEL APPEALS BOARD

1	BELORE THE LERSON VEB IN LEASES BOTHER				
2	STATE OF WASHINGTON				
3 4 5	GARY KRUGER, Appellant, v.	Case No. ALLO-02-0005 ORDER OF THE BOARD FOLLOWING			
678	DEPARTMENT OF ECOLOGY, Respondent.	HEARING ON EXCEPTIONS TO THE DETERMINATION OF THE DIRECTOR			
9	Hearing on Exceptions. This appeal came on for hearing before the Personnel Appeals Board,				
10	WALTER T. HUBBARD, Chair; GERALD L. MORGEN, Vice Chair; and RENÉ EWING				
11	Member, on Appellant's exceptions to the Director's determination dated April 12, 2002. The				
12	hearing was held in the hearing room at the Personnel Appeals Board office in Olympia				
13	Washington, on October 31, 2002.				
14					
15	Appearances. Appellant Gary Kruger was present and was represented by Marian Gonzales				
16	Employee Relations Specialist for the Washington Public Employees Association. Jill Schwenke				
17	Human Resource Consultant, represented Respondent Department of Ecology (ECY).				
18					
19	Background. Appellant requested a reallocation of his position by submitting a classification				
20	questionnaire (CQ) that he signed on March 15, 2002, to the ECY personnel office. Jill Schewenke				
21	Human Resource Consultant, conducted a review of Appellant's position. By letter dated Octobe				
22	11, 2001, Ms. Schewenke notified Appellant that his position was appropriately classified as a				
23	Environmental Planner (EP) 2.				
24					
25	On October 26, 2001, Appellant appealed to the Director of the Department of Personnel. The				
26	Director's designee, Paul Peterson, conducted an allocation review of Appellant's position o				

Personnel Appeals Board 2828 Capitol Boulevard Olympia, Washington 98504

February 28, 2002. By letter dated April 12, 2002, Mr. Peterson determined that Appellant's position was properly allocated.

On April 22, 2002, Appellant filed timely exceptions to the Director's determination with the Personnel Appeals Board. Appellant's exceptions are the subject of this proceeding.

Appellant works in the Stormwater Program of the Southwestern Region Water Quality Program. Appellant does not have statewide responsibilities. However, he is the regional staff person responsible for assisting, coordinating and facilitating the planning process for local governments (non-NPDES phase 1 municipalities) in the creation and modification of their storm water management programs. Appellant oversees a portion of the Region's Stormwater Program, but he is not responsible for producing storm water management plans. This responsibility lies with the individual municipalities. Appellant's duties require him to consult with state agencies, local governments, developers and other interested parties within the region.

Summary of Appellant's Argument. Appellant argues that his position meets the definition and distinguishing characteristics of the EP 3 classification because he functions as a program manager. Appellant contends that a program manager is analogous to a project manager as described by the EP 3 classification. Appellant admits that he has not been designated a program manager, but argues that such a designation is not required at the EP 3 level. Appellant asserts that the Director's designee erred in using a comparison of his position to other EP 2 positions as a basis for denying his reallocation. Appellant contends that the denial of his reallocation was based on vague internal criteria rather than on the duties and responsibilities of his position compared to the classification specifications. Appellant asserts that he works independently and is solely responsible for guiding the storm water planning process for non-NPDES phase 1 municipalities in the Southwestern Region. Appellant contends that his position is best described by the EP 3 classification.

2

3

4

5 6

7

8

9

11

12

13

14

15

16

17

18

19

20

21

22

23

25

26

The distinguishing characteristics for Environmental Planner 3 state:

specialists, does not serve as a project manager, and does not have state-wide responsibility for the

Summary of Respondent's Argument. Respondent argues that Appellant does not have the level

of decision making responsibility anticipated by the EP 3 classification, does not supervise planning

Stormwater Program. Respondent asserts that Appellant does provide advice and technical

assistance to local governments within the Southwestern Region. Respondent contends that

Appellant's level of responsibilities and the scope of his duties are best described by the EP 2

classification.

Relevant Classifications. Environmental Planner 2, class code 67410; Environmental Planner 3,

class code 67420.

Decision of the Board. The purpose of a position review is to determine which classification best

describes the overall duties and responsibilities of a position. A position review is neither a

measurement of the volume of work performed, nor an evaluation of the expertise with which that

work is performed. Also, a position review is not a comparison of work performed by employees in

similar positions. A position review is a comparison of the duties and responsibilities of a particular

position to the available classification specifications. This review results in a determination of the

class which best describes the overall duties and responsibilities of the position. Liddle-Stamper v.

Washington State University, PAB Case No. 3722-A2 (1994).

The definition for Environmental Planner 3 states: "[s]erves as an independent project manager

responsible for guiding the development of environmental resource plans, programs, policies or

regulations."

Personnel Appeals Board 2828 Capitol Boulevard Olympia, Washington 98504

- 1					
1	The associate planner level provides expertise and consultation to staff of various consultation to staff of various consultation.				
2	environmental programs; or provides planning or policy development assistance to staff from other state agencies, levels of government, or concerned organizations.				
3	suit from outer state ageneres, revers or government, or concerned organizations.				
4	Appellant's duties and responsibilities are limited to the Stormwater Program, which is a porti				
5	the Southwest Region Water Quality Program. Appellant assists local governments in the cr				
6	and modification of their storm water management programs. Local governments are respon				
7	for developing the plans. Appellant does not independently guide the development of j				
8	programs, policies or regulations; rather he assists in this process. Appellant's position do				
9	encompass the scope, breadth or level of responsibilities envisioned by the EP 3 classification.				
10					
11	The definition for Environmental Planner 2 states: "[d]evelops, coordinates, and facil				
12	planning processes for environmental resource plans, programs, policies and/or regulations."				
13					
14	The distinguishing characteristics for Environmental Planner 2 state:				
15	This is the journey level of the environmental planner series. Incumbents develop				
16	their own planning processes and require incidental supervision, while: (1) developing environmental resource plans, programs, and/or projects; (2) review permit applications and provide recommendation for agency action; OR (3) conducting research of an environmental, economical, financial or natural resources nature.				
17					
18					
19					
20	Appellant independently facilitates the planning process for local municipalities in				
21	Southwestern Region, reviews storm water management plans, and recommends modification				
22	the plans. Appellant's position is encompassed by the definition and distinguishing characterist				

23

24

25

26

ellant's duties and responsibilities are limited to the Stormwater Program, which is a portion of Southwest Region Water Quality Program. Appellant assists local governments in the creation modification of their storm water management programs. Local governments are responsible developing the plans. Appellant does not independently guide the development of plans, grams, policies or regulations; rather he assists in this process. Appellant's position does not

definition for Environmental Planner 2 states: "[d]evelops, coordinates, and facilitates ning processes for environmental resource plans, programs, policies and/or regulations."

ellant independently facilitates the planning process for local municipalities in the thwestern Region, reviews storm water management plans, and recommends modifications to the plans. Appellant's position is encompassed by the definition and distinguishing characteristics of the EP 2 classification.

Conclusion. The appeal on exceptions by Appellant should be denied and the determination of the Director, dated April 12, 2002, should be affirmed.

1			
2	ORDER		
3	NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellant i		
4	denied, and the determination of the Director, dated April 12, 2002, is affirmed and adopted.		
5			
6	DATED this	day of	, 2002.
7			
8			WASHINGTON STATE PERSONNEL APPEALS BOARD
9			
10			Walter T. Hubbard, Chair
11			
12			Gerald L. Morgen, Vice Chair
13			
14			René Ewing, Member
15			Tene Ewing, Memoer
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			